

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 04/05/05

AGENDA ITEM _____

WORK SESSION ITEM WSP#2

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: New Sidewalk Construction 2002/03 - Ruus Road: Deferred Street Improvement Agreements

RECOMMENDATION:

It is recommended that the City Council review and comment on this report.

BACKGROUND:

The Hayward Municipal Code requires developers and property owners who improve their property to either install along the frontage of their property certain street improvements, including curbs, gutters, sidewalks, and street paving, or sign a Deferred Street Improvement Agreement (DSIA). There are a number of properties within the City that have a DSIA, based on past development approvals.

The City will be installing sidewalk improvements on Ruus Road between Ruus Lane and West Tennyson Road (See Exhibit A). Although the street is mostly residential, there are two existing churches and one property with several rental houses in the section between Eastwood Way and Collins Court that have existing DSIA's (see Exhibit B). These agreements were executed by the Palma Ceia Baptist Church (in 1975 and 1987), the Jehovah's Witnesses in 1976, and the owner of the Mustion parcel in 1982.

Although some of the properties have changed ownership, the transfer of property makes the new owners still responsible for constructing the street improvements.


DISCUSSION:

Notification letters were sent to all of the property owners on Ruus Road informing them of the upcoming construction project, which is scheduled for advertisement on May 3, 2005. The letter stated that the work would be performed at no cost to the property owner. However, this was before staff identified the existence of DSIA's, and staff feels that it is appropriate to require the property owners with a DSIA to be responsible for their portion of the costs of construction as part of the City's upcoming improvement project. Because of the significant costs involved and due to the initial miscommunication, staff recommends that an extended payment schedule be allowed. Listed below is the estimated cost of construction and staff's recommendation for extended payment plans for each property.

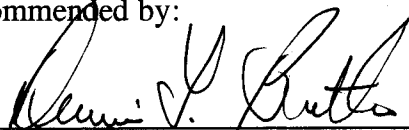
<u>Property Owner</u>	<u>Estimated Street Improvement Cost</u>	<u>Payment Schedule</u>
Randall & Susan Mustion	\$22,800	5 years
Tennyson Congregation of Jehovah's Witnesses	\$9,400	5 years
Palma Ceia Baptist Church	\$39,800	10 years

Note that only direct construction costs are being billed, which should make this less expensive than if each property owner did their own work. Each of the affected property owners was informed of the mistake in the earlier letter and also of staff's proposal covered in this work session. Staff will be taking care to ensure that in all future projects, property owners with DSIA's will contribute their share of the direct construction costs.

Prepared by:

For 
 Robert A. Bauman, Deputy Director of Public Works

Recommended by:


 Dennis L. Butler, Director of Public Works

Approved by:



 Jesús Armas, City Manager

Exhibit A: Ruus Road Sidewalk Project

Exhibit B: Parcels with Deferred Street Improvement Agreements

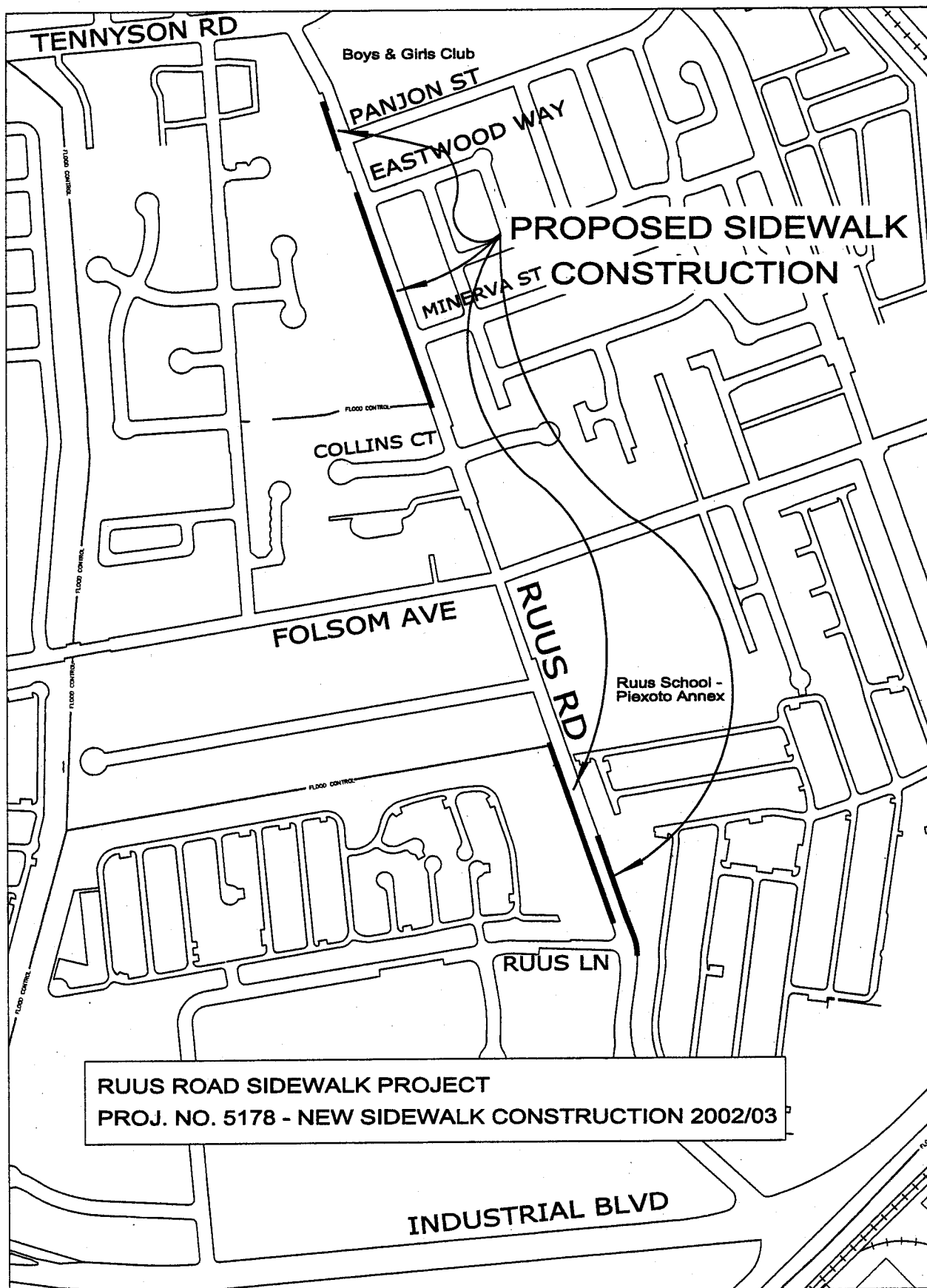


Exhibit A

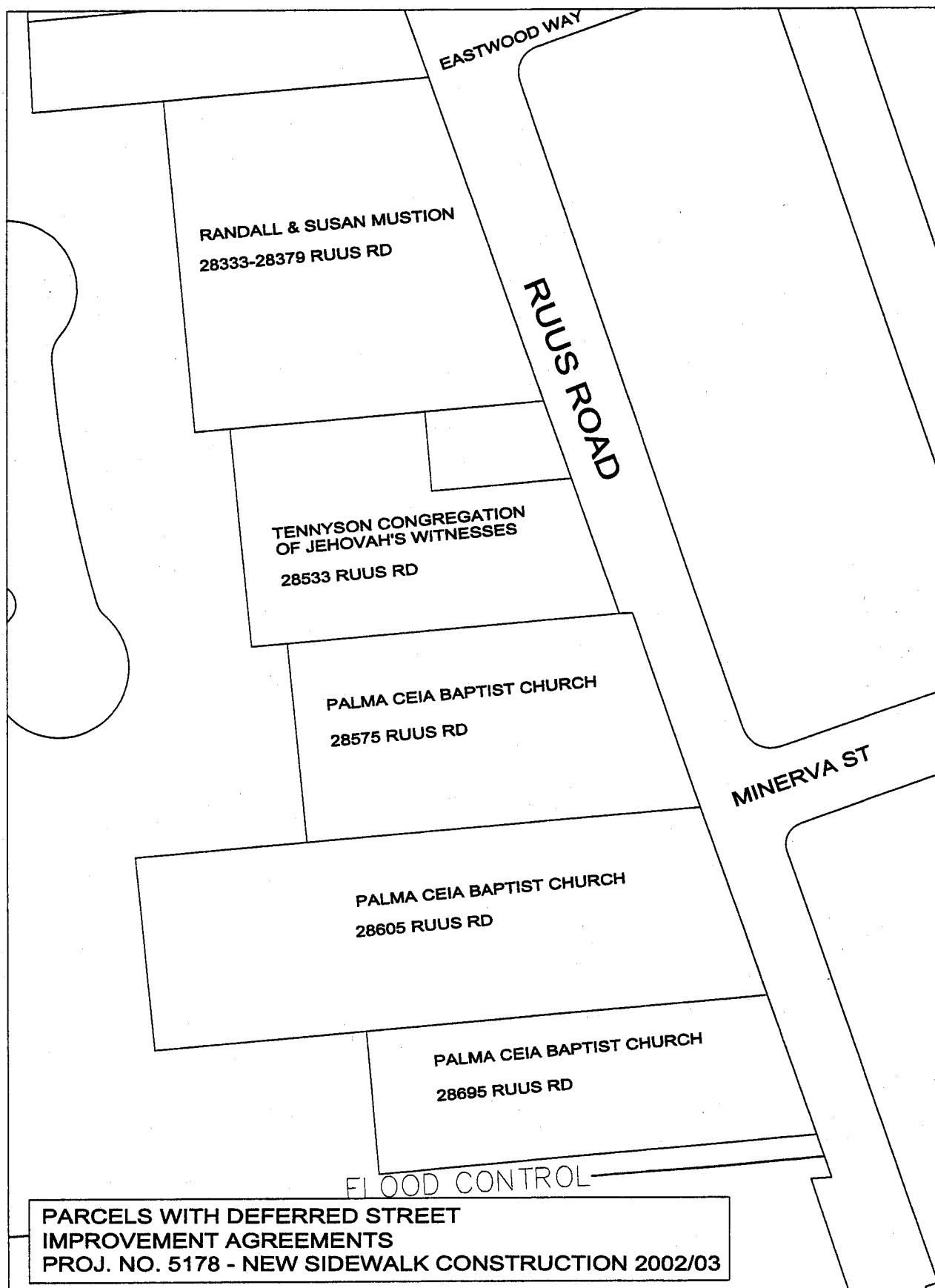


Exhibit B